

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

**TERRORIST ATTACKS ON
SEPTEMBER 11, 2001**

03-MDL-1570 (GBD)(SN)

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STANLEY ANDERSON, Individually;
RUBIELA ARIAS, Individually;
HEETON ARZE, Individually;
CLAUDIA BARRANCOS, Individually;
MERCEDES BERMEO, Individually;
NATALIA Y. BIANCO, Individually;
SHARON BRICE, Individually;
CRUZ BUNAY, Individually;
KEVIN BURNS, Individually;
ROBERT BUSCH, Individually;
CHANDRA CAMPBELL, Individually;
BRIAN CARLSTROM, Individually;
CHRISTINE CASTELLANO, Individually;
STANLEY CEASAR, JR., Individually;
MARVIN DANIEL, Individually;
GLORIA DELACRUZ, Individually;
ANTHONY DELGADO, Individually;
MARIO DELUCIA, JR., Individually;
GEORGE A. DOBSON, Individually;
JOSEPH EDUARDO, Individually;
JACQUELINE ELIZABETH ESPOSITO,
Individually;
BLANCA ESPINAL, Individually;
JOSEPH EWALD, Individually;
HENRY FARRELL, Individually;
DE LEON FAUST, Individually;
ALBERT FERRO, Individually;
HAYES JORDAN FOSTER, Individually;
ABEL GARCIA, Individually;
SANFORD GOLDFARB, Individually;
PATRICIA GOSS, Individually;
SHAYA GUTLEIZER, Individually;
CYNTHIA HERBERT NICHOLAS, Individually;
LINDA HINGER, Individually;
DELL HOCHMAN, Individually;
LARRY HOLLOWAY, Individually;
BETTY JAMES, Individually;

18-cv-11212

**SAUDI ARABIA SHORT FORM
COMPLAINT AND DEMAND
FOR TRIAL BY JURY**

KEVIN JOHNSON , Individually;
CLINTON JONES, Individually;
VALERI KARPOV, Individually;
KEVIN KELLY, Individually;
JOAN KIRKSEY, Individually;
EWA KOSZOWSKA, Individually;
ROBERT LAGVILLE-GRAHAM, Individually;
CRYSTAL LEE, Individually;
IRA LEVINE, Individually;
LARRY LEVINE, Individually;
BARRY LUBETKIN, Individually;
KENNETH MARTIN, Individually;
LUZ MARTINEZ, Individually;
GARY MCCLAY, Individually;
DORALBA MCDANIEL, Individually;
TERRANCE MCGORTY, Individually;
MARY MCMILLAN, Individually;
JAMES MCQUADE, Individually;
SADE MEALING, Individually;
LANCE MEYEROWICH, Individually;
WILLIAM MICHELL, Individually;
ELBERT MOLINA, Individually;
CLAUDIA MONCADA, Individually;
LUZ MARGOTH MONCADA, Individually;
PETER MORALES , Individually;
JAMES NARDI, Individually;
ROBERT NORERO, Individually;
BRIAN O'CONNOR, Individually;
KATHLEEN O'GRADY, Individually;
ROBERT OKSHA, Individually;
DANIEL OLSEN, Individually;
RETA PARSONS, Individually;
ROSEZENA PATTERSON, Individually;
ALBERT PEARCE, Individually;
ZAIDA PEREO, Individually;
LUIS PINOS, Individually;
AIDA PORTO, Individually;
JOHN F. PRIOR, Individually;
JOHN QUIROGA, Individually;
GLENN RADALINSKY, Individually;
MICHAEL RANOVICH, Individually;
DONNA REINA, Individually;
GARY RETTIG , Individually;
HARRY ROBINSON, Individually;
HARRY ROBINSON, Individually;
DAVINE SALUSTAI, Individually;
MICHAEL SANSEVERINO, Individually;

ANTHONY JOHN SANTAMARINA, JR.,
Individually;
ANTOINETTE SHY, Individually;
DEBRA SOLOMON, Individually;
HELEN SUAREZ, Individually;
MICHELLE SUAREZ, Individually;
JUDITH TIRADO D'AMICO, Individually;
CLORINDA TOLEDO, Individually;
ANDREY TORRIVER, Individually;
NORA TRINO, Individually;
YOLANDA VALENCIA, Individually;
DONALD VANECU, Individually;
ANTHONY VITALE, Individually;
JOSEPH WALTER, Individually;
DANA WATTS, Individually;
RONALD WILHELMY, Individually;
SHUQIN ZHAO, Individually;
RAYMOND ZUHOWSKI, Individually;

Plaintiff(s),

-against-

KINGDOM OF SAUDI ARABIA,

Defendant,

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Plaintiffs named herein by and through the undersigned counsel file this Short Form Complaint against Defendant, the Kingdom of Saudi Arabia, arising out of the September 11, 2001 terrorist attacks ("September 11, 2001 Terrorist Attacks"), as permitted and approved by the Court's Order of July 10, 2018, ECF No. 4045. Each Plaintiff incorporates by reference the specific allegations, as indicated below, of (a) the Consolidated Amended Complaint as to the Kingdom of Saudi Arabia, ECF No. 3463, or (b) the Complaint Against the Kingdom of Saudi Arabia, Ashton v. Kingdom of Saudi Arabia, No. 17-CV-2003 (GBD)(SN) (S.D.N.Y. Mar. 30, 2017), ECF No. 1.

Upon filing this Saudi Arabia Short Form Complaint, each Plaintiff is deemed to have adopted all factual and jurisdictional allegations of the complaint that has been joined as specified below; all prior filings in connection with that complaint; and all prior

Orders and rulings of the Court in connection with that complaint.

VENUE

1. Venue in this district is proper pursuant to 28 U.S.C. §§ 1391(b)(2) and 1391(f)(1), as a substantial part of the events giving rise to the claims asserted herein occurred in this district. Venue is also proper in this district pursuant to 18 U.S.C. § 2334(a).

JURISDICTION

2. Jurisdiction is premised on the grounds set forth in the complaints specified below, and further, jurisdiction of this Saudi Arabia Short Form Complaint is premised upon and applicable to all defendants in this action:

- ☒ 28 U.S.C. § 1605(a)(5) (non-commercial tort exception)
- ☒ 28 U.S.C. § 1605B (Justice Against Sponsors of Terrorism Act)
- ☒ 28 U.S.C. § 1330 (actions against foreign states)
- ☐ Other (set forth below the basis of any additional ground for jurisdiction and plead such in sufficient detail as per the FRCP):

CAUSES OF ACTION

3. Each Plaintiff hereby adopts and incorporates herein by reference the following factual allegations, jurisdictional allegations, and jury trial demand in the following complaint [**check only one complaint**] and the following causes of action set forth in that complaint:

- ☐ **Consolidated Amended Complaint as to the Kingdom of Saudi Arabia, ECF No. 3463 (check all causes of action that apply)**
 - ☐ COUNT I – Aiding and Abetting and Conspiring with Al Qaeda to Commit the September 11th Attacks upon the United States in violation of 18 U.S.C. § 2333(d) (JASTA).

- ☐ COUNT II – Aiding and Abetting and Conspiring with Al Qaeda to Commit the September 11th Attacks upon the United States in violation of 18 U.S.C. § 2333(a).
- ☐ COUNT III – Committing Acts of International Terrorism in violation of 18 U.S.C. § 2333.
- ☐ COUNT IV – Wrongful Death.
- ☐ COUNT VI – Alien Tort Claims Act.
- ☐ COUNT VII – Assault and Battery.
- ☐ COUNT VIII – Conspiracy.
- ☐ COUNT IX – Aiding and Abetting.
- ☐ COUNT X – Intentional Infliction of Emotional Distress.
- ☐ COUNT XII – Liability Pursuant to Restatement (Second) of Torts § 317 and Restatement (Third) of Agency § 7.05: Supervising Employees and Agents.
- ☐ COUNT XIII – Liability Pursuant to Restatement (Second) of Torts § 317 and Restatement (Third) of Agency § 7.05: Hiring, Selecting, and Retaining Employees and Agents.
- ☐ COUNT XIV – 18 U.S.C. § 1962(a)–(d) – CIVIL RICO.
- ☐ COUNT XV – Trespass.
- ☐ COUNT XVI – Violations of International Law.
- ☒ **Complaint Against the Kingdom of Saudi Arabia, Ashton v. Kingdom of Saudi Arabia, No. 17-CV-2003 (GBD)(SN) (S.D.N.Y. Mar. 30, 2017), ECF No. 1 (check all causes of action that apply)**
 - ☒ First Cause of Action to Recover Wrongful Death Damages Pursuant to 28 U.S.C. § 1605B (the Justice Against Sponsors of Terrorism Act or JASTA) and 18 U.S.C. § 2333 *et seq.* (the Anti-Terrorism Act or ATA)
 - ☒ First Cause of Action to Recover Personal Injury Damages Pursuant to 28 U.S.C. § 1605B (the Justice Against Sponsors of Terrorism Act or JASTA) and 18 U.S.C. § 2333 *et seq.* (the Anti-Terrorism Act or ATA)
 - ☒ Second Cause of Action for Wrongful Death Damages Pursuant to State Tort Law

- ☒ Second Cause of Action for Personal Injury Damages Pursuant to State Tort Law
- ☒ Third Cause of Action for Wrongful Death Damages Pursuant to the Alien Tort Claims Act
- ☒ Third Cause of Action for Personal Injury Damages Pursuant to the Alien Tort Claims Act
- ☐ Each Plaintiff asserts the following additional theories and/or Causes of Action against the Kingdom of Saudi Arabia:

IDENTIFICATION OF PLAINTIFFS

4. The following allegations and information are alleged on behalf of each individual who is bringing this claim, as indicated on Appendix 1 to this Saudi Arabia Short Form Complaint, herein referred to as “Plaintiffs.”
- a. The citizenship/nationality of each Plaintiff is indicated at Appendix 1 to this Saudi Arabia Short Form Complaint.
 - b. Plaintiff is entitled to recover damages on the causes of action set forth in this Saudi Arabia Short Form Complaint.
 - c. As indicated at Appendix 1, Plaintiff (i) is the estate representative of someone who was killed as a result of the September 11, 2001 Terrorist Attacks; (ii) is the surviving immediate family member of someone who was killed as a result of the September 11, 2001 Terrorist Attacks; and/or (iii) suffered physical injuries as a result of the September 11, 2001 Terrorist Attacks.
 - d. For those plaintiffs with personal injury claims, as indicated in Appendix 1, on or after September 11, 2001, said Plaintiff was present at the Pentagon and/or the World Trade Center site and/or its surroundings and/or lower Manhattan and/or at an area wherein he/she was exposed to toxins as a result of the terrorist attacks and was exposed to toxins from the attacks, and/or was otherwise injured, and/or as otherwise alleged, as stated specifically in Appendix 1.

- e. For those plaintiffs with personal injury and/or wrongful death claims, as indicated in Appendix 1, as a direct, proximate and foreseeable result of Defendant's actions or inactions, Plaintiff or his or her decedent suffered bodily injury and/or death, and consequently economic and other losses, including but not limited to pain and suffering, emotional distress, psychological injuries, and loss of enjoyment of life, and/or as described in the Saudi Arabia Short Form Complaint, and/or as otherwise may be specified in subsequent discovery proceedings, and/or as otherwise alleged in Appendix 1.
- f. The name, relationship to the injured and/or deceased September 11 victim, residency, citizenship/nationality, and the general nature of the claim for each plaintiff asserting wrongful death and/or solatium claims is listed on the attached Appendix 1, and is incorporated herein as allegations, with all allegations of the related complaints, as specified above, deemed alleged as to each Plaintiff.

IDENTIFICATION OF THE DEFENDANT

5. The only Defendant named in this Saudi Arabia Short Form Complaint is the Kingdom of Saudi Arabia.

NO WAIVER OF OTHER CLAIMS

6. By filing this Saudi Arabia Short Form Complaint, Plaintiff(s) is/are not waiving any right to file suit against any other potential defendants or parties.

7. By filing this Saudi Arabia Short Form Complaint, Plaintiff(s) are not opting out of any class that the Court may certify in the future.

JURY DEMAND

8. Each Plaintiff hereby demands a trial by jury as to the claims in this action.

WHEREFORE, Plaintiffs pray for relief and judgment against Defendant as set forth in this Saudi Arabia Short Form Complaint as appropriate.

Dated: December 3, 2018

Respectfully submitted,

KREINDLER & KREINDLER LLP

BY: /s/ James P. Kreindler
James P. Kreindler, Esq.

BY: /s/ Justin T. Green
Justin T. Green, Esq.

BY: /s/ Steven R. Pounian
Steven R. Pounian, Esq.

BY: /s/ David C. Cook
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